

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

O. JOHN BENISEK
STEPHEN M. SHAPIRO
MARIA B. PYCHA

Plaintiffs,

v.

BOBBIE S. MACK
LINDA H. LAMONE

Defendants.

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CIVIL ACTION NO. RDB-13-3233

ORDER

On November 5, 2013, Plaintiffs filed the above-captioned Complaint, accompanied by the full civil filing fee. They therefore bear responsibility for effecting service of process on Defendants. Plaintiffs may effectuate service by presenting summons to the Clerk for signature and seal and then serving a copy of the summons and Complaint on Defendants. Pursuant to Fed. R. Civ. P. 4(c)(2), service of a summons and Complaint may be effected by any person who is not a party and who is at least 18 years of age. Plaintiffs are reminded that under Fed. R. Civ. P. 4(l), the person effecting service of the summons and Complaint must promptly notify the Court,¹ through an affidavit, that he or she has served Defendants.²

If there is no record in the court file that service was effected on Defendants, Plaintiffs risk dismissal of the case. Pursuant to Fed. R. Civ. P. 4(m) and Local Rule 103.8.a, if Plaintiffs

¹ If Plaintiffs do not use a private process server, and instead uses certified mail, restricted delivery, return receipt requested, to make service, Plaintiffs must file with this Court the United States Post Office acknowledgment as proof of service.


² Under Fed. R. Civ. P. 4(j), service upon a state, municipal corporation or other governmental organization subject to suit shall be effected by delivering a copy of the summons and Complaint to its chief executive officer or by serving the summons and Complaint in the manner prescribed by the law of the state for the service of summons or other like process upon any such Defendant. Maryland Rule 2-121 governs in personam service of process. Maryland Rule 2-124(k) governs service on an officer or agency of the State of Maryland.

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DISTRICT OF MARYLAND
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AT BALTIMORE
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have not effected service of process within 120 days of filing the Complaint, the Court may enter an Order asking Plaintiffs to show cause why the claims should not be dismissed. If Plaintiffs fail to show cause within the time set by the Court, the case shall be dismissed without prejudice.

Accordingly, it is this 6th day of November, 2013, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. The Clerk TAKE ALL NECESSARY STEPS to prepare and issue summons and to return summons to Plaintiff Shapiro. If service copies of the Complaint were provided, the Clerk SHALL RETURN them to the Plaintiff Shapiro; and
2. The Clerk SHALL SEND a copy of this Order to Plaintiffs.



RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE